

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LA BARBERA and THEODORE KING,
as Trustees and Fiduciaries of the
Local 282 Welfare Trust Fund, the
Local 282 Pension Trust Fund, the
Local 282 Annuity Trust Fund, the
Local 282 Job Training Trust Fund,
and the Local 282 Vacation and
Sick Leave Trust Fund,

Plaintiffs,

ORDER ADOPTING
REPORT & RECOMMENDATION
04-CV-5177 (JS)(WDW)

-against-

FTW, INC.,

Defendant.

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Appearances:

For Plaintiff: Elizabeth O'Leary, Esq.
Cohen, Weiss and Simon LLP
330 West 42nd Street
New York, NY 10036

For Defendant: No Appearance

SEYBERT, District Judge:

On April 17, 2006, this Court referred Plaintiffs' motion for a default judgment to United States Magistrate Judge William D. Wall. Upon review of the Report and Recommendation ("Report") of Magistrate Judge Wall issued on June 28, 2006, to which no party has objected, the Court hereby ADOPTS the Report in its entirety. The Clerk of the Court is directed to enter a default judgment in Plaintiffs' favor. Defendant FTW, Inc. ("Defendant") is ORDERED to provide Plaintiffs with a bond or alternate security in the amount of \$10,000.00, and Plaintiffs are awarded \$1,698.75 in attorneys' fees and costs.

Magistrate Judge Wall directed Plaintiffs to serve Defendant with a copy of the Report. The Report provided that any objections were to be filed with the Clerk of the Court within ten (10) days of the date of service. Plaintiffs have filed an affidavit of service, indicating that the Report was served via certified and regular mail on July 21, 2006. The time to object to the Report and Recommendation has expired. Accordingly, all objections are hereby deemed to have been waived, and the Court ADOPTS the Report in its entirety.

Plaintiffs are ORDERED to serve a copy of this Order upon Defendant within ten days of entry.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
August 16, 2006